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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,791	03/19/2004	Christopher D. Russo	81206/7114	8885

37123 7590 06/18/2007
FITCH EVEN TABIN & FLANNERY
120 SOUTH LASALLE SUITE 1600
CHICAGO, IL 60603

EXAMINER

WRIGHT, INGRID D

ART UNIT	PAPER NUMBER
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2835

MAIL DATE	DELIVERY MODE
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06/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/804,791	RUSSO, CHRISTOPHER D.	
	Examiner	Art Unit	
	Ingrid Wright	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/19/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,5,7-14,33,35 & 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Podwalny et al. US 5796575 in view of Yim US 6778382 B2.

Claim 1, Podwalny et al. teaches a protective cover (16), for an electronic device (10) having a display screen (14) and a stylus, the protective cover (16) comprising: a cover portion (e.g. portion of cover (16)); and a coupling portion (28,30,32) adapted to removably couple the cover portion to the electronic device (10), the coupling portion (28,30,32) adapted to allow the cover portion to be selectively positioned between a first position and a second position; wherein in the second position, the cover portion is positioned approximate the display screen (14) to cover at least a portion of the display screen, but is silent as to user inputs. Yim teaches an electronic device (Abstract of Yim), having a detachable display (20) and user inputs (11), located within a base (10) of a computer. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the user inputs as taught by Yim, in the invention of Podwalny et al., since Podwalny et al. teaches a computer and a common configuration for any portable computer comprises a display coupled to a base, where the base usually comprises a keyboard or user inputs.

Claim 5, Podwalny et al., in view of Yim, teaches wherein the cover portion (16) is substantially rigid.

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Claim 7, Podwalny et al. in view of Yim, teaches wherein the cover portion (e.g. cover portion of (16)) includes an edge extending about at least a portion of a periphery of one surface, the edge extending substantially upward when the cover portion is located in the first position.

Claim 8, Poldwalny et al. in view of Yim, teaches wherein the coupling portion comprises: a post (30) coupled to the cover portion (e.g. portion of (16)); a piece (32) adapted to receive a portion of the post (30) such that the post is rotatable within the piece (32), the piece (32) further adapted to removably and rigidly couple to the electronic device (10)

Claim 9, Poldwalny et al. in view of Yim, teaches wherein the piece (32) removably couples to a hinge (24) of the electronic device (10), the electronic device having a base portion (10) and a display portion (20) hinged together.

Claim 10, Poldwalny et al. teaches a protective cover (16), for an electronic device (10) having a display screen (14) and a stylus, the protective cover (16) comprising: a cover portion (e.g. portion of (16)); and a coupling portion (28,30,32) adapted to removably couple the cover portion to the electronic device (10), the coupling portion adapted to allow the cover portion to be selectively positioned between a first position and a second position; wherein in the second position, the cover portion is positioned proximate to the display screen (14) and is sized to cover (16) at least a portion of the display screen (14); wherein the coupling portion (328,30,32) comprises: a post (30) coupled to the cover portion; and a piece (32) adapted to receive a portion of the post such that the post (30) is rotatable within the piece (32), the piece further adapted to removably and rigidly couple to the electronic device (10), but is silent as to user inputs and the piece comprising a clip. Yim teaches an electronic device (Abstract of Yim), having a detachable display (20) and user inputs (11), located within a base (10) of a computer. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the user inputs as taught by Yim, in the invention of Podwalny et al., since Podwalny et al. teaches a computer and

a common configuration for any portable computer comprises a display coupled to a base, where the base usually comprises a keyboard or user inputs.

As to the piece comprising the clip, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a clip on the piece over the configuration of Podwalny et al., in order to provide an alternate but equivalent mating configuration for the cover of Podwalny et al.

Poldwalny et al. teaches a post (30) having a clip (28), except a piece (32) having a clip. It would have been obvious to one having ordinary skill in the art at the time the invention was made to configure the piece to have a clip over the post, since it has been held that a mere reversal of the essential working part of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

Claim 36, Podwalny et al. in view of Yim, teaches wherein the coupling portion (28,30,32) is adapted such that when the coupling portion (28,30,32) is removably coupled, the angular orientation between the user inputs and the cover portion is less than parallel.

Claim 11, Poldwalny et al. in view of Yim, teaches wherein the piece (32) and the post (30) are configured such that the post is friction fit within the piece, such that the cover portion (e.g. portion of (16)) is held in position by the friction fit.

Claim 12, Poldwalny et al. in view of Yim, teaches further a clip (28) removably coupling the cover portion proximate to the display screen (14) when the cover portion is in the second position.

Claim 13, Poldwalny et al. in view of Yim, teaches a touch sensitive layer positioned on at least a portion of an exposed surface of the cover portion (e.g. cover portion of (16)) in the first position, the touch sensitive portion serving as a user input (col. 3, lines 9-44 of Poldwalny et al.).

Claim 14, Poldwalny et al. in view of Yim, teaches wherein in the first position, the cover portion (e.g. portion of (16)) is sized to cover the user inputs and in the second position, the cover portion is sized to cover the display screen (14).

Claim 33, Podwalny et al. in view of Yim, teaches wherein the coupling portion (28,30,32) includes a clipping portion (e.g. portion of 28)).

Claim 35, Podwalny et al. in view of Yim, teaches wherein the coupling portion (28,30,32) is adapted such that when the coupling portion (28,30,32) is removably coupled, the angular orientation between the user inputs and the cover portion is less than parallel.

2. Claims 2-4,15-18, 20-32, 34 & 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Podwalny et al. US 5796575 in view of Yim US 6778382 B2, further in view of Rouser US 5204160.

Claim 2, in regards to all the limitations of claim 1 above, Podwalny et al. is silent as to a cover configured to limit an angle of view. Rouser teaches (fig. 1,2) a cover (20) configured to limit an angle of view of a display screen (see, col. 2, lines 24-45 & col. 3, lines 25-49 of Rouser). Therefore, to modify Podwalny et al. in view of Yim, by employing a cover portion configured to limit an angle of view of a display screen would have been obvious to one having ordinary skill in the art at the time of the invention since, in order to provide security for the display screen (14) of Podwalny et al. in view of Yim, when a user is utilizing the electronic computer device.

Claim 3, Podwalny et al., in view of Yim & Rouser, teaches wherein the cover portion comprises: a transparent plate (20); and a layer (10) covering one surface of the transparent plate (20), the layer (10) comprising a material configured to limit the angle of view of the display screen through the cover portion when the cover portion is in the second position. (see, col. 2, lines 24-45 & col. 3, lines 22-33 of Rouser).

Claim 4, Podwalny et al., in view of Yim & Rouser teaches the cover (20), channels (16) formed in one surface, the channels (16) each having sidewalls and a bottom wall defining a length (T), width (W) and depth (D) of the channel (16), a substantially opaque material coating at least one sidewall of the channels (16), the substantially opaque material configured to limit the angle of view of the display screen through the cover portion (see, col. 2, lines 46-48, 55-60 & col. 3, lines 15-24 of Rouser).

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Claim 15, Podwalny et al. teaches a protective computer system (10) comprising: a computer having a lid (12) including a display screen (14), the lid pivotally coupled; a cover (16); and a coupling device (28,30,32) adapted to removably couple the cover (16) to the computer (10), the coupling device (28,30,32) adapted to allow the cover portion to be selectively positioned between a first position and a second position; wherein in the second position, the cover (16) is positioned proximate to the display screen, but is silent as to a base having a keyboard and the cover (16) limiting an angle of view of the display (14). Yim teaches an electronic device (10), having a detachable display (20) and user inputs (11), located within a base (10) of a computer. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the user inputs as taught by Yim, in the invention of Podwalny et al., since Podwalny et al. teaches a computer and a common configuration for any portable computer comprises a display coupled to a base, where the base usually comprises a keyboard or user inputs.

As to a cover limiting an angle of view, Rouser teaches (fig. 1,2) a cover (20) configured to limit an angle of view of a display screen (see, col. 2, lines 24-45 & col. 3, lines 25-49 of Rouser). Therefore, to modify Podwalny et al. by employing a cover portion configured to limit an angle of view of a display screen would have been obvious to one having ordinary skill in the art at the time of the invention was made, in order to provide security for the display screen (14) of Podwalny et al., when a user is utilizing the electronic computer device.

Claim 16, Podwalny et al., in view of Yim & Rouser, teaches wherein the cover (20) comprises: a transparent plate (20); and a layer (10) covering one surface of the transparent plate (20), the layer (10) comprising a material configured to limit the angle of view of the display screen through the cover (20) when the cover (20) is in the second position.

Claim 17, Podwalny et al, in view of Yim & Rouser, teaches a cover (20), which includes channels (16) formed in one surface, the channels (16) each having sidewalls and a bottom wall defining a length (T),

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width (W) and depth (D) of the channel (16), a substantially opaque material coating at least one sidewall of the channels (16), the substantially opaque material configured to limit the angle of view of the display screen through the cover portion (see, col. 2, lines 46-48, 55-60 & col. 3, lines 15-24 of Rouser).

Claim 18, Podwalny et al., in view of Yim & Rouser, teaches a cover substantially rigid.

Claim 20, Podwalny et al., in view of Yim & Rouser, teaches wherein the cover (16) includes an edge extending about at least a portion of a periphery of one surface, the edge extending substantially upward when the cover (16) is located in the first position.

Claim 21, Podwalny et al., in view of Yim & Rouser, teaches wherein the coupling device (328,30,32) comprises: a post (30) coupled to the cover (16); a piece (32) adapted to receive a portion of the post such that the post is rotatable within the piece, the piece further adapted to removably and rigidly couple to the computer (10).

Claim 22, Podwalny et al., in view of Yim & Rouser, teaches wherein the piece (32) removably couples to a hinge (24) of the computer (10).

Claim 23, Podwalny et al. teaches a protective computer system comprising: a computer (10) and a lid (12) including a display screen (14), the lid pivotally; a cover (16); and a coupling device (28,20,32) adapted to removably couple the cover (16) to the computer, the coupling device (e.g. portion of (16)) adapted to allow the cover portion to be selectively positioned between a first position and a second position; wherein in the second position, the cover (16) is positioned proximate to the display screen (14) such that the cover is between a viewer and the display screen and the cover is sized to cover the display screen (14), but is silent as to a base having a keyboard and the cover (16) limiting the angle of view. Yim teaches an electronic device (Abstract of Yim), having a detachable display (20) and user inputs (11), located within a base (10) of a computer. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the user inputs as taught by Yim, in the invention of Podwalny et al., since Podwalny et al. teaches a computer and a common configuration for any portable

computer comprises a display coupled to a base, where the base usually comprises a keyboard or user inputs.

As to a cover limiting an angle of view, Rouser teaches (fig. 1,2) a cover (20) configured to limit an angle of view of a display screen (see, col. 2, lines 24-45 & col. 3, lines 25-49 of Rouser). Therefore, to modify Podwalny et al. in view of Yim, by employing a cover portion configured to limit an angle of view of a display screen would have been obvious to one having ordinary skill in the art at the time of the invention, in order to provide security for the display screen (14) of Podwalny et al., when a user is utilizing the electronic computer device.

Claim 38, Podwalny et al., in view of Yim & Rouser, teaches wherein the coupling device (28,30,32) is adapted such that when the coupling device is removably coupled, the angular orientation between the keyboard and the cover (16) is less than parallel.

Claim 24, Podwalny et al., in view of Yim & Rouser, teaches wherein the piece (32) and the post (30) are configured such that the post is friction fit within the piece, such that the cover (16) is held in position by the friction fit.

Claim 25, Podwalny et al., in view of Yim & Rouser, teaches further comprising a clip (28) removably coupling the cover (16) proximate to the display screen (14) when the cover (16) is in the second position.

Claim 26, Podwalny et al., in view of Yim & Rouser, teaches further comprising: a touch sensitive layer positioned on at least a portion of an exposed surface of the cover (16) in the first position, the touch sensitive portion serving as a user input (col. 3, lines 9-44 of Podwalny et al).

Claim 34, Podwalny et al. in view of Yim & Rouser, teaches wherein the coupling device (28,30,32) includes a clipping portion (28).

Claim 37, Podwalny et al. in view of Yim & Rouser, teaches wherein the coupling device (28,30,32) is adapted such that when the coupling device (28,30,32) is removably coupled, the angular orientation between the keyboard and the cover (16) is less than parallel.

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Regarding the method claims, 27-32 & 39, the method steps are inherently necessitated by the device structure as recited in the claims as taught by Podwalny et al., Yim & Rouser. Podwalny et al., Yim & Rouser disclosed a method of protecting an electronic device having a display screen and user inputs (11), the method comprising: a cover (16) to a portion of the electronic device (10) removably coupled; the cover (16) positioned to a first position, wherein in the first position, the cover (16) is located proximate to the user inputs (11) and is sized to cover (16) at least one user input (11); the cover (16) repositioned to a second position, wherein in the second position, the cover (16) is relocated proximate to the display screen (14) and is sized to cover (16) at least a portion of the display screen (14), wherein further comprising: an angle of view of the display screen (14) limited through the cover (16) when the cover (16) is in the second position, wherein further comprising: after the positioning step, placement of, an object on the cover (16) without activating the at least one user input (11), wherein the repositioning step comprises: the cover (16) pivoted about an axis to relocate the cover (16) to the second position, wherein the coupling (28,30,32) step comprises: the cover (16) clipped (28) to the portion of the electronic device (10), wherein further comprising: the cover (16) removed from the electronic device (10), and wherein further comprising: the cover (16) removed; wherein the angular orientation between the user inputs (11) and the cover (16) is less than parallel.

3. Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Podwalny et al. US 5796575 in view of Yim US 6778382 B2, further in view of Haley US 5982617.

Claim 6, in regards to all the limitation of claim 1 above, Podwalny et al., in view of Yim, is silent as to wherein the cover portion includes at least one hole. Haley et al. teaches a cover portion (114) which includes at least one hole (107), for providing increased or enhanced cooling of electronic components (see, col. 3, lines 55-58 of Haley et al.). Therefore, to modify in view of Podwalny et al. in view of Yim, by employing a cover portion comprising a hole, would have been obvious to one of ordinary skill in the art at the time the invention was made since Haley et al. teaches these design characteristics. The skilled

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artisan would be motivated to combine the teachings of Haley with Podwalny et al. in view of Yim, in order to provide increased or enhanced cooling of the electronic components inside the computer device.

(10).

4. Claims 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Podwalny et al. US 5796575 in view of Yim US 6778382 B2, further in view of Rouser US 5204160 & Haley US 5982617.

Claim 19, in regards to all the limitations of claim 15 above, Podwalny et al., in view of Yim & Rouser, is silent as to one hole. Haley et al. teaches a cover portion (114) which includes at least one hole (107), for providing increased or enhanced cooling of electronic components (see, col. 3, lines 55-58 of Haley et al.). Therefore, to modify in view of Podwalny et al. ,in view of Yim & Rouser, by employing a cover portion comprising a hole, would have been obvious to one of ordinary skill in the art at the time the invention was made since Haley et al. teaches these design characteristics. The skilled artisan would be motivated to combine the teachings of Haley with Podwalny et al. in view of Yim & Rouser, in order to provide increased or enhanced cooling of the electronic components inside the computer device. (10).

Response to Arguments

5. Applicant's arguments, filed 3/19/07, have been fully considered. Newly added limitations have been considered. The Examiner disagrees with the remarks of the Applicant's and in order to accelerate the prosecution of the instant case, a new search was conducted. New prior art to Podwalny et al. US 5796575 & Yim US 6778382 B2 are now applied to meet the limitations of the amendment. Thus, arguments regarding Richardson et al. and Anzai et al., are moot in view of the new grounds of rejection. Rouser & Haley will be maintained.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Krieger et al. US 7099149 B2 shows the general state of the art regarding portable electronic devices with protective display covers.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Wright whose telephone number is (571)272-8392. The examiner can normally be reached on M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash Gandhi can be reached on (571)272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

IDW

JN Gandhi
6/11/07
JAYPRAKASH GANDHI
SUPERVISORY PATENT EXAMINER